

1 A Once I did my analysis, I had to remove samples  
2 from those. Also, the defense attorney requested  
3 samples to be sent to Las Vegas, so I had to go  
4 back in, open up the evidence and give her the  
5 samples so that she could send it out to Las  
6 Vegas.

7 Q There were some liquids there in what you seized;  
8 is that correct?

9 A That's correct.

10 Q And you said you removed some of it for testing  
11 purposes?

12 A Yes, I did.

13 Q And you removed some of it to give to Ms. Farrar?

14 A Yes, I did.

15 Q Now, this liquid, is all the substances in the  
16 liquid comingled?

17 A They're pretty much, yes.

18 Q And diffused through it?

19 A Somewhat, on one of them.

20 Q Now, did you bring those items with you today?

21 A Yes, I did.

22 Q Specifically, do you have an item, I believe,  
23 that you had marked as item two for laboratory  
24 purposes?

25 A Yes, I did.

1 Q Would you open your or get item two for me,  
2 please?

3 A Sure.

4 MR. LANDREAU: Your Honor, because there's a  
5 large container, it might be easier if Mr.  
6 Boswell is allowed to not have to go back and  
7 forth to the stand each time. We'd ask the Court  
8 permission to do that.

9 THE COURT: Okay. That will be fine.

10 Q If you would, place this evidence sticker which  
11 I'm now marking as State's Exhibit 2 for purposes  
12 of identification, and would you open that, Mr.  
13 Boswell?

14 (Witness complies.)

15 Q Mr. Boswell, can you tell us what item two is?

16 A Item number two is a sealed manila envelope  
17 containing paper coffee filters which was holding  
18 residue.

19 Q Are coffee filters used in some way in the  
20 manufacture of methamphetamine?

21 A Yes, they are.

22 Q And how are they used?

23 A They're actually used to filter the solutions,  
24 especially in your first step where you have the  
25 solution of the pseudoephedrine, the Lithium, and

1 the ammonia, because usually you have a paste, so  
2 you want to filter off the clear liquid from the  
3 paste.

4 Q Did you test item two to determine whether or not  
5 there were any illegal drugs present on State's  
6 Exhibit 2?

7 A Yes, I did.

8 Q What were the results of your tests?

9 A My laboratory analysis of the residue removed  
10 from the coffee filters revealed the presence of  
11 methamphetamine hydrochloride and  
12 pseudoephedrine, and methamphetamine is a  
13 Schedule II controlled substance.

14 Q Were you able to determine a weight on that?

15 A No, I was not.

16 MR. LANDREAU: Your Honor, at this time we  
17 move to introduce State's Exhibit 2 into  
18 evidence.

19 THE COURT: Be admitted and received.

20 MS. FARRAR: I would object because there's  
21 no measurable amount for the Court.

22 THE COURT: I'll overrule your objection  
23 based upon that basis.

24 (State's Exhibit 2 was admitted in  
25 evidence.)

1 Q Mr. Boswell, did you seize or take into evidence  
2 at 29 Rusk Drive an object that you labeled as  
3 three for your purposes of your lab results?

4 A Yes, I did.

5 Q Would you show us Exhibit 3, please?

6 (Witness complies.)

7 Q You can leave one in evidence on the table. I've  
8 now placed a sticker, State's Exhibit 3, on that  
9 one for purposes of identification. Would you  
10 open it, please?

11 (Witness complies.)

12 MS. FARRAR: Your Honor, may I move so I can  
13 see what Mr. Boswell is doing?

14 THE COURT: You certainly may.

15 Q By the way, Mr. Boswell, can you tell us from  
16 what part of the trailer you got State's Exhibit  
17 2 and 3?

18 A Yes, I can. I removed it from the bar area of  
19 the mobile home.

20 Q Was that both two and three?

21 A Two, yes, was also removed from the bar area.

22 Q This is a bar between the kitchen and the living  
23 room, or what kind of bar?

24 A Yes. It's a bar-like area between the kitchen  
25 and the living room.

1 Q What is State's Exhibit 3?

2 A State's Exhibit 3 was a sealed manila envelope  
3 containing one partially charred piece of  
4 aluminum foil which held a beige residue.

5 Q And did you test that for the presence of illegal  
6 drugs?

7 A Yes, I did.

8 Q What were the results of your tests?

9 A My laboratory analysis revealed that the residue  
10 was, in fact, d-methamphetamine hydrochloride and  
11 pseudoephedrine.

12 Q And d-methamphetamine hydrochloride, is that a  
13 controlled substance?

14 A Yes, it is.

15 MR. LANDREAU: Your Honor, at this time we  
16 move to admit State's Exhibit 3.

17 THE COURT: Be admitted and received.

18 (State's Exhibit 3 was admitted in  
19 evidence.)

20 Q Mr. Boswell, did you seize from the trailer an  
21 item labeled as four for your purposes of  
22 gathering evidence?

23 A Yes, I did.

24 Q And what item was that, please, sir?

25 A Item number four was a plastic container sealed

1 with a blue plastic lid holding a bi-layered  
2 liquid.

3 Q And would you take that out of your box, please?

4 (Witness complies.)

5 Q I'm going to attach a label of State's Exhibit 4  
6 onto that item. Can you tell us what State's  
7 Exhibit 4 is, and where did you take that into  
8 evidence, from what part of the trailer?

9 A State's Exhibit 4 is a plastic container, like I  
10 said, sealed with a blue plastic lid. It was  
11 holding a bi-layered liquid. It was removed from  
12 the top of the file cabinet in the kitchen. The  
13 file cabinet was located next to the  
14 refrigerator.

15 Q And did you test the liquid to determine whether  
16 or not an illegal narcotic was present?

17 A Yes, I did.

18 Q And what were the results?

19 A My laboratory analysis of the bottom layer of the  
20 liquid revealed the presence of methamphetamine  
21 and pseudoephedrine. Laboratory analysis of the  
22 top layer of the liquid failed to reveal the  
23 presence of any prohibited or controlled  
24 substance.

25 Q So there was methamphetamine in the bottom layer

1 of the liquid but not in the top?

2 A That's correct.

3 Q And did you make any weight or weigh that liquid  
4 in any manner?

5 A Not on this one.

6 MR. LANDREAU: Your Honor, move to introduce  
7 State's Exhibit 4.

8 THE COURT: Be admitted and received.

9 (State's Exhibit 4 was admitted in  
10 evidence.)

11 Q Was there an item that you took in -- I'm sure I  
12 asked you, but I'm not sure. Where in the  
13 trailer did you get State's Exhibit 4?

14 A Like I said, it was removed from a cabinet, a  
15 file cabinet which was in the kitchen area  
16 located next to a refrigerator.

17 Q Did you seize an item that you labeled as number  
18 five?

19 A Yes, I did.

20 Q And would you get that for me, please?

21 (Witness complies.)

22 A That would be this one.

23 Q Let me place a sticker on there, State's Exhibit  
24 5. From where in the trailer was this item  
25 seized?

1 A This item was removed from the kitchen floor next  
2 to some cabinets.

3 Q And did you test that item to determine if there  
4 were any drugs present?

5 A Yes, I did.

6 Q And were there?

7 A Actually, the laboratory analysis revealed the  
8 presence of pseudoephedrine, and pseudoephedrine  
9 is a precursor used in the manufacture of  
10 methamphetamine.

11 Q You told us before that the pseudoephedrine is,  
12 through this process, turned into  
13 methamphetamine; correct?

14 A That's correct.

15 Q This is pseudoephedrine that has not been turned  
16 yet; is that correct?

17 A That's correct.

18 MR. LANDREAU: Move to introduce State's  
19 Exhibit 5.

20 THE COURT: Be admitted and received.

21 (State's Exhibit 5 was admitted in  
22 evidence.)

23 Q Is there an item there that you labeled as  
24 Exhibit 6 or --

25 A Yes, there is.



1 Q Would you remove that from your box, please?

2 (Witness complies.)

3 Q Since I'm not wearing the gloves, I'm going to  
4 let you put the marker State's Exhibit 6 on.

5 (Witness complies.)

6 Q From where in the trailer was State's Exhibit 7  
7 seized?

8 A State's Exhibit 6?

9 Q I'm sorry, six.

10 A It was removed from the bar area also.

11 Q And this is the bar in the kitchen between the  
12 kitchen and the living room?

13 A That's correct.

14 Q And what does State's Exhibit 6 contain?

15 A State's Exhibit 6 is a sealed manila envelope  
16 containing paper coffee filters holding beige  
17 residue.

18 Q Now, as you've told us, these coffee filters are  
19 used in the straining process?

20 A Yes, they are.

21 Q And did you test the coffee filters to determine  
22 if there were any illegal drugs present on the  
23 filters?

24 A Yes, I did.

25 Q What were the results of your tests?

1 A State's Exhibit 6, my laboratory analysis  
2 revealed that the coffee filters did have  
3 methamphetamine and pseudoephedrine hydrochloride  
4 present.

5 Q And methamphetamine is a controlled substance;  
6 correct?

7 A Yes, it is.

8 MR. LANDREAU: Move to introduce State's  
9 Exhibit 6, Your Honor.

10 THE COURT: Be admitted and received.

11 (State's Exhibit 6 was admitted in  
12 evidence.)

13 Q Did you take into evidence an item you labeled as  
14 Exhibit 7?

15 A Yes, I did.

16 Q And would you remove that from your box, please?

17 (Witness complies.)

18 Q Would you place the State's Exhibit 7 marker on  
19 that item, please?

20 (Witness complies.)

21 Q From where in the mobile home did you get that  
22 item?

23 A This item was removed from the cabinet which was  
24 located in the kitchen area, and the cabinets are  
25 like in the bottom part of the -- well, bottom

1 section of the cabinet.

2 Q And when you seized that item, did it have a  
3 liquid in it, or what did it have in it?

4 A It was just holding a beige, off-color looking  
5 residue.

6 Q Did you test the residue for the presence of  
7 illegal drugs?

8 A Yes, I did.

9 Q What were the results of your tests?

10 A Laboratory analysis of the residue removed from  
11 the glass jar revealed the presence of  
12 d-methamphetamine and pseudoephedrine  
13 hydrochloride.

14 Q Were you able to ascertain a weight of this  
15 residue?

16 A No, I was not.

17 MR. LANDREAU: Judge, we move to introduce  
18 State's Exhibit 7.

19 MR. FARRAR: Your Honor, I object because  
20 there was no weight.

21 THE COURT: Would overrule your objection.  
22 Exhibit 7 will be admitted and received.

23 (State's Exhibit 7 was admitted in  
24 evidence.)

25 Q Would you remove from your box an item that you

1 had marked Exhibit 8 for your testing purposes?

2 (Witness complies.)

3 Q Would you place the State's Exhibit 8 marker upon  
4 it, please?

5 (Witness complies.)

6 Q Mr. Boswell, from where in the trailer did you  
7 seize Exhibit 8?

8 A This item was also removed from under the kitchen  
9 cabinet.

10 Q And did State's Exhibit 8 contain any liquid or  
11 residue?

12 A State's Exhibit 8 was a glass jar holding a  
13 yellow substance.

14 Q Did you test the yellow substance for the  
15 presence of methamphetamine?

16 A Yes, I did.

17 Q What were the results of your tests?

18 A Laboratory analysis of the yellow substance  
19 revealed the presence of pseudoephedrine  
20 hydrochloride, and it had a weight in grams of  
21 16.50.

22 Q Now, that would be the precursor to  
23 methamphetamine; correct?

24 A That's correct.

25 MR. LANDREAU: Judge, we move to introduce

1 State's Exhibit 8.

2 THE COURT: Be admitted and received.

3 MS. FARRAR: Your Honor, I would object. I  
4 know I'm late, but precursor would not be  
5 relevant as to the trafficking or possession  
6 charge.

7 MR. LANDREAU: Judge, it goes to what was  
8 taking place in that trailer, whether or not this  
9 was a meth manufacturing lab.

10 THE COURT: Court would overrule your  
11 objection. You may proceed.

12 (State's Exhibit 8 was admitted in  
13 evidence.)

14 Q Did you seize an item nine?

15 A Yes, I did.

16 Q And would you remove that from your box and place  
17 State's Exhibit 9 upon that item?

18 (Witness complies.)

19 Q From where in the trailer was State's Exhibit 9  
20 seized?

21 A State's Exhibit 9 was removed from an open glass  
22 jar that was located under the kitchen cabinet.

23 Q And did it contain the liquid that it contains  
24 now?

25 A Yes, it does.

1 Q Now, did you test that liquid for the presence of  
2 any illegal narcotics?

3 A Yes, I did.

4 Q What were the results of your tests on State's  
5 Exhibit 9?

6 A Laboratory analysis of the liquid revealed the  
7 presence of d-methamphetamine and  
8 pseudoephedrine. It had a weight in grams of  
9 500.

10 Q So this contained methamphetamine; correct?

11 A That's correct.

12 Q That is a controlled substance?

13 A Yes, it is.

14 Q And the total weight of State's Exhibit 9, the  
15 liquid, is 500 grams?

16 A That's correct.

17 Q Could you put that into pounds or ounces for us?

18 A Sure. That will be -- give me a second.

19 Q You need a pen?

20 A I may be able to do it on my watch. That will be  
21 about 17.6 ounces.

22 Q A little over a pound then?

23 A That's correct.

24 MR. LANDREAU: Move to introduce State's  
25 Exhibit 9.

1 THE COURT: Be admitted and received.

2 (State's Exhibit 9 was admitted in  
3 evidence.)

4 Q Did you seize an item 10?

5 A Yes, I did.

6 Q And would you place a marker, State's Exhibit 10,  
7 upon that item?

8 (Witness complies.)

9 Q Where in the trailer did you seize State's  
10 Exhibit 10?

11 A This was removed from a glass jar which was  
12 located on the cabinet.

13 Q And was the liquid in it?

14 A Yes, it was.

15 Q Did you do any laboratory analysis to determine  
16 if the liquid contained an illegal drug?

17 A Yes, I did.

18 Q And what were the results of the analysis?

19 A The results were negative.

20 MR. LANDREAU: Move to introduce State's 10,  
21 Your Honor.

22 MS. FARRAR: Objection, irrelevant, not  
23 material.

24 MR. LANDREAU: Judge, we submit it simply  
25 goes to the thoroughness of the testing that was

1 done on the substances seized.

2 THE COURT: Well, was there a determination  
3 of what was in the contents?

4 Q (By Mr. Landreau:) Mr. Boswell, were you able to  
5 determine what the liquid is?

6 A Based on odor, I would assume that it was diethyl  
7 ether.

8 Q I'm sorry, what?

9 A It was diethyl ether.

10 Q It was ether. And is ether used in the process  
11 of manufacturing methamphetamine?

12 A Yes, it is.

13 THE COURT: Court would overrule the  
14 objection.

15 (State's Exhibit 10 was admitted in  
16 evidence.)

17 Q Is there an item 11?

18 A Yes, there is.

19 Q And would you withdraw that from your container  
20 and place State's Exhibit 11 marker upon it?

21 (Witness complies.)

22 Q Mr. Boswell, how would you describe State's  
23 Exhibit 11?

24 A State's Exhibit 11 was a plastic container sealed  
25 with a blue plastic lid that held a cloudy liquid



1 with an off-white looking substance.

2 Q And from where in the trailer was it seized?

3 A This was actually removed from a cylinder which  
4 was located in the kitchen.

5 Q From a metal cylinder?

6 A Yes.

7 Q And was State's Exhibit 11 tested for the  
8 presence of illegal narcotics?

9 A Yes, it was.

10 Q And did that testing reveal the presence of any  
11 illegal narcotics?

12 A It actually revealed the presence of  
13 pseudoephedrine.

14 Q And, again, pseudoephedrine is the precursor drug  
15 that is produced during the manufacturing of  
16 methamphetamine?

17 A Yes, it is.

18 MR. LANDREAU: Move to introduce State's --  
19 or one other question.

20 Q Did you weigh Exhibit 11 to determine a weight?

21 A Yes, I did.

22 Q And what was the weight of the pseudoephedrine in  
23 that?

24 A The whole entire container, the liquid and the  
25 off-white substance had a weight of 760 grams.

1 MR. LANDREAU: Move to introduce State's  
2 Exhibit 11.

3 MS. FARRAR: Objection, materiality and  
4 relevance.

5 THE COURT: Would overrule your objection.

6 (State's Exhibit 11 was admitted in  
7 evidence.)

8 Q Did you seize an item 12?

9 A Yes, I did.

10 Q Would you place a State's marker or State's  
11 Exhibit marker 12 upon that item?

12 (Witness complies.)

13 Q Would you describe that item for us?

14 A State's Exhibit Number 12 is a sealed manila  
15 envelope containing one blister seal package  
16 which was labeled in part antihistamine tablets,  
17 pseudoephedrine HCL, 60 milligrams, triprolidine  
18 HCL, 2.5. Inside the envelope, like I said, it's  
19 a blister seal package holding 17 circular white  
20 tablets, each had the number 257 printed on one  
21 side, and it had a single score on the opposite  
22 side.

23 Q And did you do any tests to perform or to  
24 determine what the substance was that was in  
25 there?

1 A Yes, I did.

2 Q And what was it?

3 A Laboratory analysis of the tablets revealed the  
4 presence of pseudoephedrine. These tablets are  
5 consistent with the product containing  
6 pseudoephedrine and triprolidine manufactured by  
7 Granutec. Pseudoephedrine is a precursor used in  
8 the manufacture of methamphetamine.

9 Q Based on your experience and training, how would  
10 those products be used in the manufacturing of  
11 methamphetamine?

12 A The pseudoephedrine tablet is one of the main  
13 ingredients that's used to manufacture it.

14 Q You earlier described the process where tablets  
15 are dissolved in some type of liquid to get  
16 ephedrine; is that correct?

17 A That's correct.

18 Q And would those tablets be involved in that  
19 process in any way?

20 A Yes, they would.

21 Q And how would they be involved?

22 A You would take the tablets --

23 MS. FARRAR: Your Honor, I would object.  
24 This is not a manufacturing case. This is simply  
25 trafficking, and that is possession of a large

1 quantity. And this is not material or relevant.

2 THE COURT: I would overrule your  
3 objection.

4 A The pseudoephedrine tablets, what you would do is  
5 take them and, like I said, just soak them in an  
6 alcohol, methanol, water, acetone, which is the  
7 same thing as fingernail polish remover, and the  
8 pseudoephedrine drug will then go from the  
9 tablets into the liquid.

10 Q And from where in the trailer were these items  
11 taken?

12 A This was located -- removed from a kitchen  
13 cabinet that was located near the hallway.

14 MR. LANDREAU: Move to admit State's Exhibit  
15 12, Your Honor.

16 MS. FARRAR: Objection, materiality and  
17 relevance.

18 THE COURT: Objection is overruled. Will be  
19 admitted and received.

20 (State's Exhibit 12 was admitted in  
21 evidence.)

22 Q Did you seize a piece of evidence that you  
23 labeled item 13?

24 A Yes, I did.

25 Q Would you remove that from your box and attach

1 State's Exhibit marker 13 to it?

2 (Witness complies.)

3 Q Would you describe State's Exhibit 13 for us?

4 A Item Number 13 is a glass jar sealed with a  
5 wooden lid. At the time it was holding a clear  
6 liquid and off-white substance.

7 Q And from where in the trailer was that seized?

8 A This was removed from the kitchen near the  
9 hallway.

10 Q And did you test the contents of it for the  
11 presence of drugs?

12 A Yes, I did.

13 Q And what were the results of your tests?

14 A Laboratory analysis of the liquid and off-white  
15 substance revealed the presence of  
16 pseudoephedrine which at the time had a total  
17 weight in grams 204.

18 Q 204 grams?

19 A Yes.

20 Q Again, this is the precursor drug; correct?

21 A That's correct.

22 Q Did you --

23 MR. LANDREAU: Move to admit State's Exhibit  
24 13, Your Honor.

25 MS. FARRAR: Objection, relevance and

1 materiality.

2 THE COURT: Overrule the objection. Will be  
3 admitted and received.

4 (State's Exhibit 13 was admitted in  
5 evidence.)

6 Q Did you seize an item that you labeled item 14?

7 A Yes, I did.

8 Q And would you remove it from the box, please?

9 (Witness complies.)

10 Q Would you place State's Exhibit marker Number 14  
11 upon that?

12 (Witness complies.)

13 Q Would you describe for the record State's Exhibit  
14 14?

15 A It's a large blue plastic jug which was sealed  
16 with a white plastic lid holding a cloudy liquid  
17 and white powder.

18 Q Then did you do any analysis to determine what  
19 the substance inside State's Exhibit 14 is?

20 A Yes, I did.

21 Q And what is that?

22 A Based on laboratory analysis, the liquid  
23 contained pseudoephedrine.

24 Q And did you weigh the liquid to determine the  
25 total weight of the pseudoephedrine?

1 A I weighed the sample, and the liquid had a weight  
2 of 7,778 grams.

3 Q Again, roughly, what is that in pounds or ounces  
4 or in English measurement? Tell you what, we'll  
5 come back to that so you don't have to remove  
6 your gloves. We've got one other item. Do you  
7 have an item 15?

8 A Yes, I do.

9 Q And would you remove it from your box and attach  
10 State's Exhibit marker 15 to it?

11 (Witness complies.)

12 MR. LANDREAU: Your Honor, while he's  
13 looking for that, we move to admit State's  
14 Exhibit 14.

15 THE COURT: Be admitted and received.

16 MS. FARRAR: I'm sorry, I missed that.

17 MR. LANDREAU: 14.

18 MS. FARRAR: Objection based on relevance.

19 THE COURT: All right. Objection overruled.

20 (State's Exhibit 14 was admitted in  
21 evidence.)

22 Q Again, would you hold up what's now marked as  
23 State's Exhibit 15?

24 (Witness complies.)

25 Q And would you describe that item to us?

1 A This was one glass jar which was sealed with a  
2 white plastic lid containing a cloudy liquid and  
3 off-white powder.

4 Q And from where did you seize that?

5 A This item was removed from the bedroom.

6 Q Were the contents of State's Exhibit 15 tested by  
7 you?

8 A Yes, they were.

9 Q What were the results of your tests?

10 A My analysis of the liquid and off-white powder  
11 revealed the presence of d-methamphetamine and  
12 pseudoephedrine. At the time it had a total  
13 weight in grams of 1,435.

14 Q The substance contains methamphetamine?

15 A That's correct.

16 Q And the substance in -- the methamphetamine in  
17 State's Exhibit 15, is that a controlled  
18 substance?

19 A Yes, it is.

20 Q And, again, the total weight was what?

21 A Total weight was 1,435 grams.

22 MR. LANDREAU: Move to admit State's Exhibit  
23 15.

24 THE COURT: Be admitted and received.

25 (State's Exhibit 15 was admitted in



1 evidence.)

2 Q Mr. Boswell --

3 MR. LANDREAU: Your Honor, if I may, there  
4 is an odor that's kind of attached to those  
5 items. I'd ask permission to have Mr. Boswell  
6 put them back in the blue container and seal the  
7 container and leave them there, if that's  
8 permissible with the Court.

9 MS. FARRAR: I have no objection.

10 THE COURT: All right. You may do so.

11 (Witness complies.)

12 Q You may have a seat again, Mr. Boswell.

13 (Witness complies.)

14 Q Mr. Boswell, after doing these analyses, did you  
15 produce a written report?

16 A Yes, I did.

17 Q Let me show you State's Exhibit 16. Is this the  
18 report you did on these items?

19 A Yes, it is.

20 MR. LANDREAU: Move to admit State's Exhibit  
21 16.

22 MS. FARRAR: Improper foundation. It's not  
23 been explained.

24 THE COURT: All right. Well, if you'll show  
25 how the form was repaired, I mean, was prepared.

1 Q Mr. Boswell, did you prepare this form?

2 A Yes. A written report is done, then handed to  
3 the secretary, the secretary then types it up.

4 Q And what is the purpose of this report and what's  
5 the process for producing it?

6 A That is our certificate of analysis, and the  
7 purpose of doing it is so that we can report our  
8 results out to the law enforcement or the  
9 District Attorney's office as to what our  
10 findings were and as to what type of evidence was  
11 received as to who may have been involved in the  
12 chain of custody.

13 Q Did you review State's Exhibit 16 before and sign  
14 State's Exhibit 16?

15 A Yes, I did.

16 Q Did you review it for accuracy before signing it?

17 A Yes, I did.

18 Q And is it accurate?

19 A Yes, it is.

20 Q Does it fairly and accurately report your  
21 findings of the tests you did on the items that  
22 have already been admitted into evidence here  
23 today, items two through 15?

24 A That's correct.

25 MR. LANDREAU: Your Honor, at this time we

1 move to admit State's Exhibit 16.

2 THE COURT: Be admitted and received.

3 (State's Exhibit 16 was admitted in  
4 evidence.)

5 Q Mr. Boswell, of the 15 items that have been  
6 admitted into evidence, several of them had an  
7 appreciable weight that you're able to determine  
8 of a mixture containing methamphetamine; is that  
9 correct?

10 A That's correct.

11 Q And what specifically are the items that you were  
12 able to determine a weight of?

13 A Well, item number nine, like I said, was 500  
14 grams, and I believe I had given you the  
15 conversion to pounds on that one. Item number  
16 15 -- no, item number 14 you asked for the  
17 conversion of pounds, and if I calculated right,  
18 that's about 77 pounds.

19 Q Okay.

20 A No, that's wrong.

21 Q And did the item 15 contain methamphetamine?

22 A Item number 15 did contain methamphetamine, and  
23 that was 1,435 grams. Roughly, I would say,  
24 about two pounds.

25 Q You have -- in item nine you have 500 grams of a

1 mixture containing meth; is that correct?

2 A Correct.

3 Q And then in item 15 you have 1,435; is that  
4 correct?

5 A That's correct.

6 Q So together that would be roughly 2,000 grams?

7 A Roughly, yes.

8 Q And 2,000 grams translates to how many pounds?

9 A Well, one kilo gram equals 2.2 pounds.

10 Q And, Mr. Boswell, I have to confess that I'm  
11 still struggling with the English system, much  
12 less the metric. How many grams is a kilo gram?

13 A One kilo gram, it will be 2.2 pounds.

14 Q How many grams to make a kilo gram?

15 A A thousand grams.

16 Q And what you have here were 2,000 grams is  
17 roughly how many kilograms?

18 A Roughly four pounds.

19 Q So we're talking about four pounds total --

20 A Yes.

21 Q -- of liquid and mixture that contains  
22 methamphetamine?

23 A Yes.

24 Q And just to be sure, you personally collected  
25 items one through 15?

1 A Yes, I did.

2 Q You kept them in your possession and custody  
3 until you tested them?

4 A Pretty much, other than the time they were in the  
5 evidence room for storage.

6 Q And in the evidence room, would anybody else have  
7 access to them other than you?

8 A The other scientists in the department within our  
9 laboratory would.

10 Q And did you seal them in any way to see if they  
11 had been -- so you could determine if they had  
12 been tampered with or looked at?

13 A Eventually, the evidence was placed in the  
14 plastic container which was sealed.

15 Q And they are in the -- when you tested them, they  
16 were in the same condition as when you seized  
17 them?

18 A Yes, they were.

19 Q Now, let me ask you this, Mr. Boswell. You  
20 entered this trailer, you said, about what time  
21 that night when you got there?

22 A I may have said 8:59. Give me a second and let  
23 me check my -- we arrived at the scene  
24 approximately about 8:00 p.m.

25 Q Now, do you use Eastern Time or Central Time in

1 your reports?

2 A Normally, I use Central Time.

3 Q So that would have been 8:00 Eastern Time or  
4 Central Time that you arrived?

5 A That would have been 8:00 Central Time.

6 Q So 9:00 our time?

7 A That's correct.

8 Q When you entered that trailer, were you able or  
9 did you notice any unusual smells or odors?

10 A Yes, I did.

11 Q And what did you notice?

12 A First of all, we noticed there was a high odor of  
13 ether that was floating around in the room. When  
14 we got there, the sheriff's department had  
15 already pretty much started ventilating the  
16 trailer which is a common practice for illegal  
17 laboratories.

18 Q So you detected a strong odor of ether?

19 A Yes, I did.

20 Q This was after the doors and windows had been  
21 open and ventilated?

22 A That's correct.

23 Q Did that have any significance to you based on  
24 your training?

25 A Yes, it did.

1 Q What was the significance?

2 A First of all, it indicated, like I said, that  
3 ether or some other type of chemicals were being  
4 used. Also, the fact that the mobile home had  
5 been ventilated, and as to how long it had been  
6 ventilated, I do not know, but that it was  
7 ventilated. In my opinion, had it not been, we  
8 were looking at a potential explosion or  
9 potential dangers.

10 Q Let me ask you, in the course of collecting these  
11 items, did you notice any fishing line on the  
12 walls or a line on the walls of this trailer?

13 MS. FARRAR: Objection, relevance to the  
14 charges.

15 THE COURT: Well, I'll sustain his leading.

16 Q Did you notice anything unusual upon the walls or  
17 ceiling of this trailer?

18 A Yes, I did.

19 Q And what did you notice?

20 A As we entered the mobile home, there was a  
21 fishing line going from probably the front area  
22 going all the way to the back near the bathroom  
23 or bedroom area.

24 Q Did you follow the line all the way to the back?

25 A We actually did, yes.

1 Q What was at the end of the line in the back?

2 A If I remember correctly, the line was rigged to a  
3 tray that held a candle --

4 MS. FARRAR: Objection, Your Honor. This is  
5 not relevant to the trafficking case or the  
6 possession or the resisting arrest.

7 THE COURT: Overrule the objection.

8 A The line ended up at like a little tray or lid or  
9 something that was holding the candle, and if I  
10 remember correctly, that had been tilted or  
11 appeared to have been tilted over. I'm not quite  
12 sure exactly.

13 Q Was there anything near this candle?

14 A There may have been some reagents and some  
15 liquids and stuff near there.

16 Q Were these flammable liquids, or were they water,  
17 or what were they?

18 MS. FARRAR: Objection, Your Honor. The  
19 witness said there may have been, so he would not  
20 have knowledge to even know what might have been  
21 in it.

22 MR. LANDREAU: Judge, I'll withdraw the  
23 question.

24 THE COURT: Okay.

25 MR. LANDREAU: Ms. Farrar may have some



1 questions for you, Mr. Boswell.

2 CROSS-EXAMINATION

3 BY MS. FARRAR:

4 Q Hi, Mr. Boswell. Let's start with I did come to  
5 pick up some samples, didn't I?

6 A Yes, you did.

7 Q And do you recall that I brought my own  
8 materials? I had brought double boxes,  
9 cushioning materials and unbreakable plastic  
10 containers?

11 MR. LANDREAU: Your Honor, we would  
12 stipulate that the State furnished to Ms. Farrar  
13 a sample of each of State's Exhibit 9 and 15 for  
14 her testing.

15 THE COURT: All right. I'll let her  
16 proceed, though.

17 MS. FARRAR: Pardon?

18 THE COURT: You may proceed.

19 Q Mr. Boswell, I'm looking at a five piece of paper  
20 exhibit marked Defendant's Exhibit 1, and I  
21 furnished the State a copy. This has been  
22 admitted into evidence as a copy of the analysis  
23 furnished by the expert witness which the  
24 Defendant was able to procure. Have you had a  
25 chance to review it? I know you only had it for

1 30 seconds, but --

2 A Yes, I have.

3 Q It states that there is methamphetamine in both  
4 samples; does it not?

5 A Yes, it does.

6 Q Do you recall the particular samples that were  
7 sent?

8 A Yes, I do.

9 Q They were nine and 15; is that correct?

10 A That's correct.

11 Q And those were the rather large quantities of  
12 liquids which your analysis found did contain  
13 methamphetamine; correct?

14 A That's correct.

15 Q 500 grams was how much the liquid weighed in  
16 number nine. Was that with or without the  
17 container?

18 A Without the container.

19 Q Please explain to the jury how you weigh that  
20 without the container?

21 A What I would do, I would take a beaker or  
22 whatever container that we have available in the  
23 laboratory that would hold that particular  
24 amount. I would place that beaker on a triple  
25 beam balance. That balance is then adjusted so

1           that the weight of that container will equal  
2           zero. Then I will pour the liquid into that  
3           particular container, thus giving me the weight  
4           of the liquid.

5       Q     And the sample 15 you weighed in the same manner;  
6           correct?

7       A     That's correct.

8       Q     Now, together these weigh quite a bit. What  
9           would have been the approximate corresponding  
10          volume for these two samples, if you could  
11          estimate, please?

12      A     On the item number nine, item number nine, the  
13          volume was about 800 milliliters.

14      Q     And there's a thousand milliliters in a liter; is  
15          that correct?

16      A     Yes.

17      Q     So it would be eight-tenths of a liter; correct?

18      A     Correct.

19      Q     And how about item number 15?

20      A     Item number 15, I failed to record the volume.  
21          Roughly guessing, I would say it may have been  
22          less than a liter because there was powder and  
23          stuff involved.

24      Q     So you're saying part of the weight of item 15  
25          more than item nine would have been the powder?

1 A That's correct.

2 Q Did you do an analysis of the weight of the  
3 powder all by itself in these two samples?

4 MR. LANDREAU: Your Honor, we object. Under  
5 Alabama law, that's immaterial. It is the weight  
6 of the mixture, not of any independent --

7 THE COURT: Well, he's been qualified as an  
8 expert, and I'm going to allow him to testify as  
9 to what he did or did not do.

10 Q Did you do an analysis of the weight of the  
11 powder by itself without the liquid?

12 A No, I did not.

13 Q But our independent expert witness did do an  
14 analysis of that. He found that in item --

15 THE COURT: Well, are you testifying, or are  
16 you asking a question?

17 MS. FARRAR: Well, I was going to say.

18 Q If this witness found that there was 1.8  
19 milligrams per milliliter, that would be the same  
20 as about 1.8 grams per liter; would it not?

21 MR. LANDREAU: Your Honor, we object to the  
22 relevance of that.

23 THE COURT: Well, I'll allow him to answer  
24 the question?

25 A Could you repeat the question?

1 Q If our expert found that there was 1.8 milligrams  
2 per milliliter, that would be the same as if  
3 there were 1.8 grams per liter; would it not?

4 A In so many words, yes.

5 Q And the same with if our expert found that there  
6 were approximately point three milligrams per  
7 milliliter, that would be about point three grams  
8 per liter?

9 A Just about. I'm not -- you're confusing me with  
10 your numbers.

11 Q How much is a gram? I've got -- I looked for  
12 something that was marked with grams rather than  
13 ounces, and I found a packet of Sweet'N Low?

14 MR. LANDREAU: Your Honor, I object.  
15 Defense counsel is beginning to testify as  
16 opposed to ask questions.

17 MS. FARRAR: If I could finish, Your Honor.

18 THE COURT: Well, I'm going to allow her to  
19 try to establish a question.

20 Q I'm handing a packet of Sweet'N Low to the  
21 witness, a pink package. It says on the wrapper  
22 that it contains one gram. Do you see that?

23 A Yes.

24 Q And so that would be quite a small amount for an  
25 entire liter; would it not?

1 A Yes.

2 Q How many doses, based on your knowledge and  
3 experience, is a gram of methamphetamine?

4 A A gram of methamphetamine, we're talking about  
5 0.035 ounces.

6 Q And do you have an opinion, based on your  
7 experience and knowledge, about how many -- how  
8 much does an ad exhibit take when they take meth  
9 or whatever they do with it?

10 MR. LANDREAU: Judge, could I have a  
11 continuing objection to the relevance of this,  
12 plus I'm not sure it's been established Mr.  
13 Boswell is familiar with what the individual  
14 habits of drug addicts are.

15 THE COURT: I will sustain your objection to  
16 this particular question. That would be  
17 speculation on the part of this witness as to how  
18 much an addict would take. Obviously, that  
19 amount would vary.

20 Q Would you agree, Mr. Boswell, that this is a very  
21 small amount of methamphetamine, which it's not,  
22 it's Sweet'N Low, but if it were methamphetamine,  
23 would you agree that it would be a small amount?

24 A If you're referring to the Sweet'N Low package,  
25 to me, that would be relatively not a small

1 amount, but a decent amount for usage.

2 Q Does meth weigh more than Sweet'N Low per gram?

3 MR. LANDREAU: Judge, I'm going to object.

4 A gram is a measurement of weight. Like an  
5 ounce. Everything that weighs an ounce is the  
6 same weight.

7 THE COURT: Well, I think the question would  
8 be would methamphetamine weigh approximately the  
9 same as Sweet'N Low or weigh a lesser or greater  
10 amount, if he knows. He might not be familiar  
11 with the density of Sweet'N Low.

12 MS. FARRAR: I'll withdraw the question.

13 Q I just -- along this line, I've got one more  
14 question and then I'll quit the Sweet'N Low. Is  
15 mass the same as weight?

16 A Yes.

17 Q Okay.

18 A Wait a minute. You said is mass --

19 Q Mass. It's a measurement of density, I thought?

20 A Density, right. My mistake.

21 Q And so it might possibly be that meth is more  
22 dense than -- that's it.

23 MS. FARRAR: I withdraw the question, Your  
24 Honor. I apologize.

25 THE COURT: All right.

1 MS. FARRAR: I do have one or two more  
2 questions, Your Honor, for Mr. Boswell.

3 THE COURT: Okay.

4 Q When you were doing a -- when you were finding  
5 these samples in the trailer, did you find or pay  
6 any attention to any other items other than  
7 containers or what you would see to be possible  
8 contraband? Did you pay attention to papers or  
9 other personal items?

10 A There were a lot of evidence in the trailer.  
11 Some of the evidence was collected by us for  
12 analysis. The other evidence or that we consider  
13 evidence relative to the illegal manufacture of  
14 methamphetamine was turned over to hazardous  
15 waste for disposal. We did not collect it. Some  
16 of it we did on-the-spot tests just to confirm  
17 that this was there and that this was used in the  
18 manufacture of methamphetamine.

19 Q What sort of on-the-spot tests did you use? Just  
20 give me one sample, please.

21 A First of all, there was like a propane tank  
22 cylinder which had blue to green fittings on it.  
23 We tested it for the presence of ammonia, and it  
24 was positive for ammonia.

25 MS. FARRAR: I would object. Well, I



1 can't. I asked.

2 Q Did you find any evidences of Mr. Whitley  
3 actually owning the trailer? Did you see any  
4 power bills, water bills; anything of that  
5 nature?

6 A That was not my job to do.

7 Q And when you got all the evidence that you were  
8 going to take back to Auburn, if there was  
9 anything uncovered, did you cover it before  
10 placing it in the case?

11 A All items of evidence that we collected that  
12 contained some type of liquid was either covered  
13 with a lid, or it was transferred from the  
14 container in which it was in to another container  
15 and a lid was placed on it.

16 Q But these items you brought today are the  
17 original containers taken from the trailer;  
18 correct?

19 A Except for maybe one or two of them.

20 Q And those would be containers from your  
21 laboratory?

22 A One, if I'm not mistaken, is the mason jar which  
23 may have held item number nine. I believe we  
24 transferred it from a jar into that particular  
25 container. There is another -- there may be a

1 couple of others that were in different  
2 containers. And we also used containers that we  
3 found there in the trailer that we considered  
4 that was clean and used those also.

5 Q Is it possible that during the collection of  
6 these items that there might have been some  
7 slight spillage from one container into another?

8 A Yes.

9 Q And that would have possibly caused a chemical  
10 reaction?

11 A No.

12 Q Now, why was the bi-layered liquid not measured?

13 A If you read the report, which is my item number  
14 four -- let me check my worksheet. On my  
15 worksheet, I have listed about 16 ounces.

16 Q But on this sample also on number four, you did  
17 not measure the methamphetamine separate from the  
18 liquid; correct?

19 A If I understand your question correctly, I did  
20 analysis on the bottom layer. The bottom layer  
21 was separated from the top layer.

22 Q Now, what instruments did you use to determine  
23 that methamphetamine was present in these  
24 samples?

25 A In our analysis on methamphetamine, we have two

1 instruments that are available to us. The first  
2 instrument is the infrared spectrophotometer.  
3 The second instrument would be the gas  
4 chromatograph mass spectrometer.

5 Q And the gas chromatograph, that's something about  
6 color?

7 A No.

8 Q Are there any levels of error that are present in  
9 this measurement device?

10 A In the instruments?

11 Q Yes, in the instruments.

12 A The instrument, every morning we perform an auto  
13 tune to make sure or check to see if the  
14 instrument's performing correctly, and if there  
15 is a problem with the instrument, the auto tune  
16 will usually indicate that. Also, we will run a  
17 known standard and what we call a test mix to  
18 make sure that we are able to identify those  
19 particular prescribed drugs that we are putting  
20 on that particular instrument.

21 Q So did you perform those tests on that day?

22 A It's performed every morning. Yes, we did.

23 Q Every morning?

24 A Yes, we did.

25 Q And how about the other instrument, does it have

1 similar tests to make sure that it's working  
2 properly?

3 A On the infrared spectrophotometer, we would run  
4 what we call a polystyrene every morning or  
5 anytime the instrument is going to be used that  
6 particular day. That will usually give us, I  
7 guess you would say, a diagram of that particular  
8 polystyrene. And from there we can look at it  
9 and tell whether or not the instrument is  
10 performing properly.

11 Q And how would I be able to know if there is 1.8  
12 milligrams in a milliliter of a sample of the  
13 seized substance? How would I be able to know  
14 about how much was the quantity of meth in that  
15 particular sample?

16 A The only way I could have determined that was to  
17 do a quantitation on that particular sample.

18 Q Based on the data that was arrived at by our  
19 independent expert, can you give a ballpark  
20 figure of about how much was in the samples which  
21 we have before us today?

22 MR. LANDREAU: Your Honor, same objection  
23 previously stated.

24 THE COURT: Overrule the objection.

25 A Based on the report from your independent

1 scientist expert, I cannot conclude as to whether  
2 his results are correct because I have no idea  
3 what instrumentation he used. I have no idea how  
4 he may have performed his extractions or his  
5 analysis of the samples.

6 Q I'm only asking you if they're correct, what  
7 would his analysis have come up with as far as  
8 how many grams were present in the quantity of a  
9 liquid as by volume, grams per volume?

10 A Based on his analysis, I cannot say because, like  
11 I just testified, I do not know what he did and  
12 how he did it.

13 Q Thank you. I've got one more. Did you find any  
14 methamphetamine in any of these samples that you  
15 seized that was in a form suitable for ingesting  
16 based on your experience and scientific  
17 knowledge?

18 A Based on the evidence that I collected and on my  
19 analysis, the residue that was found on the  
20 aluminum foil, it's a possibility it could have  
21 been smoked, ingested, or used at any particular  
22 time. Based on some of the residue, something I  
23 removed from the filter papers, you could  
24 actually go back and take those filter papers and  
25 maybe extract it with an alcohol and then dry it

1 down, and you may come up with a finished product  
2 or enough powder to smoke, ingest, or do whatever  
3 you want to do with it.

4 Q And would it be fair to say that if my expert,  
5 and that's if this expert was correct in his  
6 analysis, that there's approximately three grams  
7 in the whole sample that was sent, the nine and  
8 the 15?

9 MR. LANDREAU: Your Honor, I object. The  
10 witness has testified twice that not knowing what  
11 method this expert hired by the defense may have  
12 used, he can't answer that question. We object  
13 to it being repetitive.

14 THE COURT: I'll sustain the objection.

15 MS. FARRAR: Your Honor, I would just want  
16 to put on the record that I believe the method is  
17 irrelevant. It's just a hypothetical question  
18 on if the method was correct.

19 THE COURT: Okay. What's your next  
20 question?

21 MS. FARRAR: That's all at this time, Your  
22 Honor.

23 MR. LANDREAU: Two questions on redirect.  
24  
25

REDIRECT EXAMINATION

BY MR. LANDREAU:

Q Mr. Boswell, why didn't you go through and try to quantify how much of this liquid is this and how much is that and so on?

A Because the State of Alabama does not require us to do quantitations on methamphetamine. The State -- to my knowledge, the law says the mixture thereof.

Q And your understanding is the law simply says that if there's methamphetamine in a mixture, it doesn't matter what the breakdown is; is that right?

A That's correct.

Q So you don't routinely do those tests?

MS. FARRAR: Your Honor, leading, object.

Q Do you routinely do those tests?

A No, I don't.

Q You mentioned there may be spillage. When you're talking about spillage, you're talking about what?

A When she mentioned the fact about spillage, I'm talking about if we had to transfer -- let's say there was the container with our lid, and we have to pour it into another container so that we can

1 put a lid on it. Well, we use a funnel.

2 However, as you know, if you try to pour soda or  
3 water into a glass from a can, you do spill a  
4 little bit.

5 Q Was there any spillage from one exhibit to the  
6 other?

7 A There may have been. We didn't record whether or  
8 not there was spillage. Now, as far as  
9 contaminating one sample to the other sample, no,  
10 because we only do one thing at a time.

11 Q That's what I'm trying to get at. You didn't  
12 take something from one liquid and pour it into  
13 another one, a different exhibit number?

14 A Oh, no.

15 Q Let me ask you, Mr. Boswell, based on your  
16 training and experience, had there not been a  
17 police raid, could these other -- these 8,000  
18 grams of pseudoephedrine been turned into  
19 methamphetamine?

20 A Yes --

21 MS. FARRAR: Objection, relevance and  
22 materiality.

23 THE COURT: I'll sustain the objection.

24 MR. LANDREAU: No further questions.

25 THE COURT: Any further questions of this



1 witness, Ms. Farrar?

2 MS. FARRAR: No, thank you.

3 THE COURT: May he be excused?

4 MR. LANDREAU: Yes, Your Honor.

5 THE COURT: All right, ladies and  
6 gentlemen. This will be a good time to take a  
7 break. I'll send you to the jury room, probably  
8 about 10 minutes, and we'll come back and resume  
9 the trial. Do not discuss the case, nor allow  
10 anyone to discuss the case in your presence until  
11 such time as the case is submitted to you under  
12 the instructions of the Court. Thank you. Mr.  
13 Mitchell will escort you to the jury room.

14 (Jury not present.)

15 THE COURT: Ms. Farrar, do you have any  
16 objection to the evidence being taken back to the  
17 Auburn lab?

18 MS. FARRAR: No objection.

19 THE COURT: All right.

20 (Recess.)

21 (Jury present.)

22 THE COURT: We didn't lose any of the jurors  
23 during the break. Thank you. And we'll resume  
24 with the next witness.

25 MR. LANDREAU: We call Wayne Meadows to the

1 stand, Your Honor.

2 WAYNE MEADOWS

3 was sworn and testified as follows:

4 DIRECT EXAMINATION

5 BY MR. LANDREAU:

6 Q Mr. Meadows, I want you to speak up so that this  
7 gentleman in the very rear can hear you. Tell us  
8 your full name?

9 A Wayne Marcus Meadows.

10 Q And how old are you, Mr. Meadows?

11 A 36.

12 Q Do you know a Jerry Whitley?

13 A Yes, sir.

14 Q Do you see Mr. Whitley here in the courtroom?

15 A Yes, sir, sitting right over there (witness  
16 indicating).

17 Q Point him out to us?

18 A Right there (witness pointing).

19 Q The gentleman in the blue shirt?

20 A (Witness nods head affirmatively.)

21 Q How long have you known Mr. Whitley?

22 A I'd say a little more than a year.

23 Q Back on September 21st of last year, do you know  
24 where Mr. Whitley was living?

25 A Yes, sir, at Rusk Mobile Home Park.